

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 14 2004

Applicant: David A. Scheidmantal

For: ARMREST WITH SIDE IMPACT RESISTANCE FEATURE

Serial No.: 10/604,697

Examiner: Gregory A. Blankenship

Filed: August 11, 2003

Group Art Unit: 3612

Atty. Docket: 70639-0025

Confirmation No.: 1696

## CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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to Examiner Gregory A. Blankenship at (703) 872-9306Rebecca L. Shilt  
SignatureDate: 9.14 2004Rebecca L. Shilt  
(type or print name of person certifying)Commissioner for Patents  
Washington, D.C. 20231

Sir:

**RESPONSE TO OFFICE ACTION**  
**REQUIRING ELECTION OF SPECIES**

This paper is in response to the Office action mailed August 13, 2004. In the Office action, an election of species was required between the following allegedly patentably distinct species:

Examiner's Species A: arm rest;

Examiner's Species B: vehicular trim component.

The Examiner asserts that no claim is generic.

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Further, if the Examiner's requirement for restriction is maintained, the Applicant would be required to file additional patent applications containing the alleged patentably distinct inventions identified by the Examiner. If all of those patent applications were allowed, the net result would be several patents that claim closely related inventions differing only by a particular embodiment. Applicant respectfully asserts that the Examiner's restriction requirement is inappropriate.

For the reasons discussed above, Applicant requests reconsideration and withdrawal of the restriction requirement made by the Examiner. Applicant further requests that the application as filed be substantively examined with respect to all of the claims filed with the application with the single unifying concept described above being the focus of the Examiner's efforts.

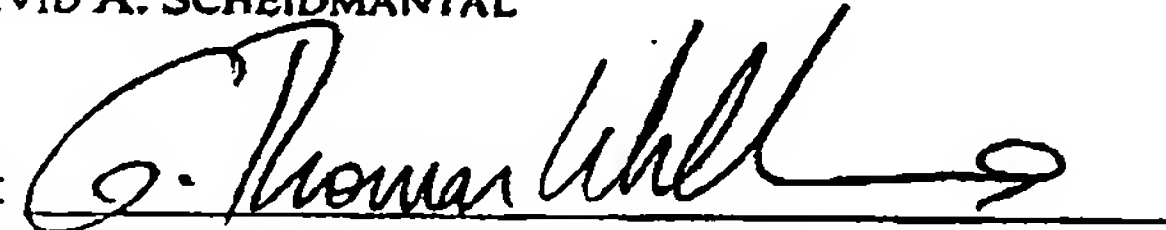
Should the Examiner be unpersuaded by the arguments advanced herein, Applicant provisionally elects with traverse claims 1-62 which are readable on the Examiner's Species A (arm rest), and provisionally cancels without prejudice the claims of Species B of the application.

Respectfully submitted,

DAVID A. SCHEIDMANTAL

Dated: 14 September 2004

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